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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,943	08/03/2001	Mark Lynch	P67024US0	5857
7590	06/10/2005		EXAMINER	
JACOBSON, PRICE, HOLMAN & STERN PROFESSIONAL LIMITED LIABILITY COMPANY 400 SEVENTH STREET, N.W. WASHINGTON, DC 20004			LIN, KELVIN Y	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/920,943	LYNCH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kelvin Lin	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 March 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,6-18,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,6-18,20 and 21 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/2/01</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## Detailed Action

### ***Response to Remarks***

Application's argue with respect to claims 1, 6-18, and 20-21 have been considered but are moot in view of the new ground(s) of rejection.

1. Regarding claim 1, applicant argues that Kloba's teaching is completely different from the real time request/ retrieval/ transform/ download transaction session of the amended Claim 1.

Examiner contends Jamtgaard teaches that "... a request connection handler interface for communicating with a user devices to receive a request ...the requesting user device in a format suitable for the user device, (Jamtgaard, col.7, I.30-45). And a content interface for communicating with content servers to retrieve requested content (Jamtgaard, col.7, I.35-40, col.9, I.48-51). Also teaches a transformation engine for dynamically transforming content received from the content server in real time to a suitable format .. to the request handler interface for user device to complete a transaction initiated by the request for content, the transformation engine performing said transformation according to (Jamtgaard, col.10, I.48-67, col.11, I.1-3) . And "... the content and which capture properties of the content , including indicating relationship between blocks of content to be preserved in the transformed content (Jamtgaard, col.11, I.50-61). Furthermore, the transformation engine converts the content to a document object model (DOM) tag, and transforms the document

object model by parsing tags indicating blocks of content and deciding on transformation according to the task and intention tags (Jamtgaard, col.8, l.54-67, col.6, l.1-10, col.11, l.50-67).

## **Response to Amended Claims**

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The items list as follows were not described in the specification:

- “ .. and for downloading the content to the requesting user device in a format suitable for the user device .. ”
- “..for download to the requesting user device to complete a transaction initiated by the request for content.. ”
- “..Presentation tag indicating content presentation attributes.. ”

### ***Claim Objections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 20 objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and cannot depend from any other multiple dependent claim. See MPEP § 608.01(n).

Accordingly, the claim has not been further treated on the merits.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 6, 9-10, 12-18, 20 are rejected under 35 USC 102(e) as being anticipated by Jamtgaard et al.,(U.S. Patent 6430624).
5. Regarding claim 1, Jamtgaard teaches an e-business mobility platform

comprising:

- a request handler interface for communicating with a user devices to receive a request for content and for downloading the content to the requesting user device in a format suitable for the user device, (Jamtgaard, col.7, l.30-45).
- a content interface for communicating with content servers to retrieve requested content (Jamtgaard, col.7, l.35-40, col.9, l.48-51),
- a transformation engine for dynamically transforming content received from the content server in real time to a suitable format for the user device, and for routing the transformed content to the request handler interface for download to the requesting user device to complete a transaction initiated by the request for content, the transformation engine performing said transformation according to (Jamtgaard, col.10, l.48-67, col.11, l.1-3) –
- intention tag which are in the content and which capture non-presentation properties of the content as intended by an author, including indicating relationship between blocks of content to be preserved in the transformed content (Jamtgaard, col.11, l.50-61).
- Task tag which are in the content and which indicate blocks of the content which are optional or alternative for user device types (Jamtgaard, col.11, l.2-3), and

- Presentation tag indicating content presentation attributes (Jamtgaard, col.3, l.2-8, col.5, l.29-34); and
  - The transformation engine converts the content to a document object model (DOM) in which nodes correspond to document tag, and transforms the document object model by parsing tags indicating blocks of content and deciding on transformation on a block-by-block basis according to the task and intention tags (Jamtgaard, col.8, l.54-67, col.6, l.1-10, col.11, l.50-67).
6. Regarding claim 6, Jamtgaard further discloses the e-business mobility platform as claimed in claim 1 wherein the transformation engine comprises means for combining content by combining DOMs generated from different incoming content streams (Jamtgaard, fig.3, col.6, l.10-31).
7. Regarding claim 9, Jamtgaard further discloses the e-business mobility platform as claimed in claim 1, wherein the transformation engine comprises means for dynamically activating providers in series for a session, said providers being for performing a transformation-related function (Jamtgaard, col.7, l.48-67, col.8, l.1-24).
8. Regarding claim 10, Jamtgaard further discloses the e-business mobility platform as claimed in claim 9, wherein at least one provider comprises means for caching reusable intermediate data captured from a stream of content being transformed, and at least one other provider comprises means for using cached

data (Jamtgaard, col.18, l.5-40, which palm pilot and cellular phone corresponds to the information reusable by these two presentation handlers).

9. Regarding claim 12, Jamtgaard further discloses an e-business mobility platform As claimed in claim 1, wherein the platform comprises a database system and all functions of the platform comprises means for accessing said database system via accessors each dedicated to a data type (Jamtgaard, col. 6, l.41-43, col.10, l.26-36).
10. Regarding claim 13, Jamtgaard further discloses the e-business mobility platform As claimed in claim 12, wherein the data types include user, group, and device Data types (Jamtgaard, col. 6, l.41-43, col. 8, l.36-50).
11. Regarding claim 14, Jamtgaard further discloses an e-business mobility platform As claimed in claim 1, wherein the platform comprises a messaging system comprising means for controlling communication within the platform by passing objects representing events between functions (Jamtgaard, col. 8, l.17-25).
12. Regarding claim 15, Jamtgaard further discloses the e-business mobility platform As claimed in claim 1, wherein the user device interface comprises means for causing a session manager to generate a session object upon receipt of a user device request, and said session object comprises means for controlling full execution of the session until delivery of the requested content even if the user device changes (Jamtgaard, col. 7, l.30-47).
13. Regarding claim 16, Jamtgaard further discloses an e-business mobility platform as claimed in claim 15, wherein the session manager comprises means for

maintaining a list of sessions for each user and for caching the associated content (Jamtgaard, col.6, l.32-53).

14. Regarding claim 17, Jamtgaard further discloses an e-business mobility platform As claimed in claim 15, wherein the device interface comprises a device detection function for detecting device attributes, and the session manager comprises means for using said attributes to create a session object (Jamtgaard, col. 4, l.58-67, col.5, l.1-6).
15. Regarding claim 18, Jamtgaard further discloses an e-business mobility platform As claimed in claim 17, wherein the device detection function comprises means for accessing a hierarchical device database to retrieve device attributes (Jamtgaard, col. 6, l.10-53).
16. Regarding claim 20, Jamtgaard further discloses a computer program product comprising software code for completing a platform as claimed in any preceding claim when executing on a digital computer (Jamtgaard, col. 4, l.34-49).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

17. Claims 7, 8, 11, and 21 are rejected under 35 U.S.C 103(a) as being

unpatentable over Jamtgaard in view of Wanderski et al., (US Patent No. 6519617).

18. Regarding claim 7, Jamtgaard implicitly discloses the customized to the device type (Jamtgaard, col.4, l.65-67). But, Jamtgaard fails to apply user preferences to device format. However, Wanderski discloses the e-business mobility platform As claimed in claim 1, wherein the transformation engine comprises means for applying user preferences to the device-format content (Wanderski, col. 4, l.60-64, col.10, l.48-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the suggestion of applying user preference to the device format content. Wanderski's teachings for providing the preferences of a user, and a device type, would be readily apparent to one ordinary skill in view of the teaches of Jamtgaard. Motivation to combine the teaches would be support Jamtgaard intelligent harvesting and navigation system for the transformation system.

19. Regarding claim 8, Wanderski further discloses the e-business mobility platform as claimed in claim 7, wherein said preferences are applied by dynamically retrieving preference data from a user database and modifying the content accordingly (Wanderski, col.11, l.5-18 ).
20. Regarding claim 11, Jamtgaard further discloses an e-business mobility platform As claimed in claim 10, wherein a provider comprises means for caching user preference data (Wanderski, col.7, l.40-48 ).

21. Regarding claim 21, Jamtgaard further discloses an e-business mobility platform

Comprising:

- a request handler interface for communicating with a user devices to receive a request for content and for downloading the content to the requesting user device in a format suitable for the user device, (Jamtgaard, col.7, l.30-45).
- a content interface for communicating with content servers to retrieve requested content (Jamtgaard, col.7, l.35-40, col.9, l.48-51),
- a transformation engine for dynamically transforming content received from the content server in real time to a suitable format for the user device, and for routing the transformed content to the request handler interface for download to the requesting user device to complete a transaction initiated by the request for content, the transformation engine performing said transformation according to (Jamtgaard, col.10, l.48-67, col.11, l.1-3) –
- intention tag which are in the content and which capture non-presentation properties of the content as intended by an author, including indicating relationship between blocks of content to be preserved in the transformed content (Jamtgaard, col.11, l.50-61).

- Task tag which are in the content and which indicate blocks of the content which are optional or alternative for user device types (Jamtgaard, col.11, l.2-3), and
- Presentation tag indicating content presentation attributes (Jamtgaard, col.3, l.2-8, col.5, l.29-34); and
- The transformation engine converts the content to a document object model in which nodes correspond to document tag, and transforms the document object model by parsing tags indicating blocks of content and deciding on transformation on a block-by-block basis according to the task and intention tags (Jamtgaard, col.8, l.54-67, col.6, l.1-10, col.11, l.50-67),
- wherein the transformation engine identifies the type of content requested and subsequently identifies a set of data and content manipulation providers and a sequence for applying the providers to complete the transaction (Jamtgaard, col.12, l.35-64);

But, Jamtgaard fails to teach the continuity and store intermediate data as it pass to provider. However, Wanderski discloses the e-business mobility platform as claimed in claim 21

- wherein the transformation engine maintains continuity of a session if the user device changes during the transaction by changing a session parameter identifying the user device type in a database (Wanderski, col.11, l.5-18); and

- wherein cache providers of the transformation engine access and store intermediate data as it passes from one content manipulation provider to a next content manipulation provider (Wanderski, col.7, l.49-67, col.8, l.1-18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the suggestion of applying user preference to the device format content. Wanderski's teachings for providing dynamic change of the device, .. network bandwidth limitation , and user preference.

Motivation to combine the teaches would be support Jamtgaard intelligent harvesting and navigation system by manipulating Wanderski's DTD dynamic generation and makes the transformation engine access more effectively. 9

### ***Conclusion***

Application's amendment necessitated the new ground(s) of rejection presented in this Office action, Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first replay is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the

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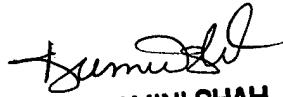
shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

06/02/05  
KYL

  
KAMINI SHAH  
PRIMARY EXAMINER